

Defendant.

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) C.A. No. 08-542-SLR  
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(2) Dismiss Bosch's claims for patent infringement, and Pylon's declaratory-judgment counterclaims, without prejudice; and

(3) Retain jurisdiction to enforce the provisions of the confidential agreement that is Exhibit B.

The Court's judgment for Bosch and against Pylon on Pylon's counterclaim for patent infringement would be unaffected by this order and would remain final.

Because appeals to the Court of Appeals for the Federal Circuit have been docketed and remain pending, the parties further jointly request that the Court enter an indicative ruling, pursuant to Fed. R. Civ. P. 62.1(a)(3), stating that it would grant this joint motion if the Court of Appeals remands for that purpose.

A proposed order is attached as Ex. A.

Respectfully submitted,

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